

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL NO. 1:14-CR-266</b>
	:	
<b>v.</b>	:	<b>(Chief Judge Conner)</b>
	:	
<b>DARNELL WILLIAMS,</b>	:	
	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 3rd day of April, 2018, upon consideration of the request (Doc. 400) filed *pro se* by defendant Darnell Williams (“Williams”) requesting that the court provide a copy of Williams’ sentencing transcript free of charge to assist Williams in preparing a motion pursuant to 28 U.S.C. § 2255, (see id.), and the court observing that, pursuant to 28 U.S.C. § 753(f), a court may require the government to bear the cost of furnishing transcripts to persons proceeding *in forma pauperis* under Section 2255 if the judge certifies that the motion “is not frivolous and that the transcript is needed to decide the issue presented by the suit or appeal,” 28 U.S.C. § 753(f), but further observing that this statutory provision applies only *after* a Section 2255 proceeding has been instituted, see United States v. Smith, No. 04-309, 2010 WL 11534344, at \*1-2 (W.D. Pa. Aug. 2, 2010) (collecting cases); see also United States v. Cook, 362 F. App’x 238, 238-39 (3d Cir. 2010) (nonprecedential); United States v. Raghunathan, 288 F. App’x 2, 3-4 (3d Cir. 2008) (nonprecedential), it is hereby ORDERED that Williams’ request (Doc. 400) is DENIED without prejudice to the refiling thereof after Williams files a Section 2255 motion.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner, Chief Judge  
United States District Court  
Middle District of Pennsylvania